

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER P71053US1
		US APPLICATION NO. (If known - see 37 CFR 1.5) 10/590652
INTERNATIONAL APPLICATION NO. PCT/US04/041773	INTERNATIONAL FILING DATE 13 December 2004	PRIORITY DATE CLAIMED 12 December 2003
TITLE OF INVENTION BIRDFEEDER AND SEED DISPENSER THEREFOR		
APPLICANT(S) FOR DO/EO/US Furman O'DELL, James S. CARTER and Brian K. KRUEGER		

Applicant herein submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is hereby incorporated by reference and
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the Internatl. Preliminary Examination report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

PCT/IB/301 Form
 PCT/IB/304 Form
 PCT/IB/308 Form
 First Page of Publication

US APPLICATION NO. (if known, see 37 CFR 1.55) 10/590652		INTERNATIONAL APPLICATION NO. PCT/US04/041773		ATTORNEY'S DOCKET NUMBER P71053US1	
The following fees are submitted:				<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
-17. <input checked="" type="checkbox"/> Basic national fee \$300				\$ 300.00	
18. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200				\$ 200.00	
19. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500				\$ 100.00	
TOTAL of 17, 18 and 19 =				\$ 600.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction Thereof (round up to a whole number)	Rate		
*** - 100 = ***	*** / 50 =	****	x 250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	44 - 20 =	-24-	x \$50.00	\$ 1200.00	
Independent Claims	5 - 3 =	-2-	x \$200.00	\$ 400.00	
Multiple Dependent Claim(s) (if applicable)			+\$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 2330.00	
Reduction by 1/2 for filing by small entity , if applicable. Verified Small Entity statement enclosed. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 1165.00	
SUBTOTAL =				\$ 1165.00	
Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f))				\$	
TOTAL NATIONAL FEE =				\$ 1165.00	
Fee of \$40.00 for recording the enclosed assignment (37 CFR 1.21(h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31).				\$	
TOTAL FEES ENCLOSED =				\$ 1165.00	

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- a. ☒ A Credit Card Payment Form authorizing the amount of \$ 1165.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 06-1358 in the amount of \$ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge my account any additional fees set forth in §1.492 during the pendency of this application, or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.

SEND ALL CORRESPONDENCE TO:

JACOBSON HOLMAN PLLC
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Washington, DC 20004
202-638-6666
CUSTOMER NUMBER: 00136

By Harvey B. Jacobson, Jr.
Harvey B. Jacobson, Jr.
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